SALLY BLACKMORE

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Sally Blackmore has more than twenty years' experience providing advocacy and advice across a broad range of chancery litigation, with particular emphasis on real property and both commercial and residential landlord and tenant matters.

She has appeared in courts and tribunals at all levels, including the Supreme Court and the Court of Appeal.

Confident and assured in court and on paper, Sally is noted for her thoroughness, her strong work ethic, down-to-earth approach, strong legal knowledge and courtroom ability. The directories highlight her capacity to "sail through complex issues with calmness and confidence" and praise her "passionate and engaging style of advocacy". She is excellent with clients, easy to work with, and described as "approachable, empathetic, insightful and … clear."

A strong believer in access to justice for all, Sally is a long-standing member of the Islington Legal Advice Centre through which she continues to provide advice and assistance to law centre attendees. She also volunteers for the CLIPS scheme, providing advice and advocacy assistance to litigants in person in the interim applications court at the Rolls Building.

She writes regularly on topics within her practice areas and is a frequent contributor to the Landlord and Tenant Review, most recently with an article on the Online Procedure Rules and a consideration of Lowe v Charterhouse ("Mick McCarthy, Miss Marple, and the Art of Statutory Interpretation"). Separately, articles she has written may be found on the PLA website.

She is a popular speaker, speaking recently for a conference at Cardiff University on Housing Law in Wales, and for the PLA. She also enjoys providing workshops and in-house training sessions.

Expertise

Commercial Dispute Resolution

Sally has been dealing with commercial disputes, primarily – but not only – in a property context, for years.

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Her pragmatic approach promotes resolution before trial, but, where this is not possible, she is tenacious in her pursuit of the best outcome for the client.

Recent instructions include:

- Pretoria Energy Co (Chittering) Ltd v Blankney Estates Ltd [2023] EWCA Civ 482 (led by James Pickering KC);
- Pretoria Energy Co (Chittering) Ltd v Blankney Estates Ltd [2022] EWHC 1467 (Ch);
- MWB Exchange Business Centres Ltd v Rock Advertising Ltd [2018] UKSC 24 (led by Clifford Darton): Sally appeared for the successful Appellant (MWB) in this landmark Supreme Court contract case;
- MP Ltd v I-S (2018): Sally represented the Claimant in this dispute in respect of franchise fees which included issues of contractual construction, penalty clauses, and repudiation;
- H v P W Ltd: a dispute regarding the standards of construction and service involving contractual obligations and consumer rights;
- IS v LMC (2018): Sally represented the Claimant in this matter in respect of respect of unpaid invoices, alleged breach of contract and negligence.

Recent professional negligence instructions include:

- Advising long-leaseholders as to whether their solicitors had negligently caused or failed to prevent a transfer of funds to an imposter;
- Advising long-leaseholders as to whether their solicitors had been negligent in not advising them as to the implications of a ground rent increase clause;
- Advice to a solicitor as to alleged professional negligence in respect of his work to convey property under a sale and leaseback arrangement.

Property, Trusts & Estates

Sally is recognised in both Chambers and Partners and the Legal 500 as a leading junior in real estate litigation. She has over twenty years' experience in real property, landlord and tenant matters and issues involving trusts and estates, particularly where there is a property element, and her practice reflects the strength in breadth and depth of that experience.

She has advised and represented commercial clients and individuals on, amongst other things, title rights, easements and other rights to and over land, compulsory purchase matters, issues surrounding development, dilapidations, service charges, enfranchisement, forfeiture and adverse possession.

Recent experience in real property includes:

Covenants:

- Advising and representing a local authority in a claim for modification of a restrictive covenant (Gennard v Leicester City Council [2025] UKUT 121);
- Advising as to the effect, application and enforceability of mutual covenants entered into by registered freehold proprietors and the developer of an estate.

Interpretation of title documents:

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- Advising as to a ownership of loft space
- Advising a developer as to the risk of land he wished to buy being subject to rights which had accrued to sitting tenants
- Advising a local authority as to the extent of its ownership and liabilities with regarding a building subject to a flying freehold

Easements and profits:

- Advising in respect of a shooting rights sought by the vendors of a large parcel of land intended for commercial development;
- Representing and advising representing freeholder owners of agricultural land subject to rights of way as to the extent of those rights, their route and the rights of the servient land to repair and use the rights of way in the context of, amongst other things, their riparian obligations and responsibilities;
- Advising a local authority as to the extent of rights enjoyed by the long leaseholders of a windmill on Council owned land entirely surrounded by a neighbouring property.

Mortgages and receivership:

- Representing and advising receivers in respect of the possession of properties mortgaged by high net worth individuals where challenges were raised to the receivers standing to bring the claim and there were issues regarding service.
- Representing and advising a mortgagee seeking possession and an unpaid capital advance where the mortgagor alleges that the mortgage was subject to a secret commission.
- Representing the successful personal representatives of a deceased mortgagor in a claim for possession and achieving an order for costs against the mortgagee.

Nuisance:

- Advising and representing defendants to a claim for nuisance and trespass in the context of commercial premises
- Advising residential occupiers as to strategy and potential claims in the context of a neighbour dispute
- Advised and represented landowners suffering from nuisance relating to horses on neighbouring land and resultant fly infestation.

Compulsory purchase:

- Advising an owner of land subject to compulsory purchase in the context of HS2 as to rights and strategy for compensation

Recent experience in landlord and tenant includes:

- Business tenancy renewals where renewal was opposed and where it was not and with regard to the correct application of s.34;
- Terminal dilapidations matters;
- Representing and advising a long-leaseholder in respect of dilapidations issues where the repairing obligation was effectively obsolete;
- Representing and advising a large group of long-leaseholders in an acrimonious service charge

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dispute;
- Representing and advising commercial landlords in forfeiture matters;
- Representing and advising a high net worth individual in respect of a claim for possession of his home and on questions related to waiver;
- Representing and advising commercial landlords whose licensee had refused to remove a boat from previously licensed premises;
- Advising a commercial landlord as to the implications of a string of leases, including concurrent leases, granted to different companies and individuals in respect of overlapping parts of a building;
- Various complex residential disputes requiring detailed attention to statutory provisions, including the leading case of Minister v Hathaway & Hathaway [2021] EWCA Civ 936 (the application of the Assured Shorthold Tenancy Notices and Prescribed Requirements (England) Regulations 2015 to tenancies commencing before 1 October 2015).

Recent experience in trusts and estates includes:

1975 Act

- Advising and representing claimants in a 1975 Act matter where a marriage the day before death had overtaken a recent will; the case included a successful application for a freezing injunction;
- Advising and representing a widow in respect of a claim for a beneficial interest of the family home in the context of a 1975 Act claim;
- Advising and representing on matters regarding the removal and/or replacement of personal representatives including under s.116.

Trusts of land

- Successfully obtaining strike out of a claim under TOLATA where the claimant had no interest in the property because the estate had not been administered and representations alleged in the context of estoppel could not have been made by the defendant as sued;
- Advising and representing an intervenor claiming an interest in a property in an acrimonious ancillary relief matter;
- Advising and assisting an occupier of property which had passed to the Crown as Bona Vacantia as to a claim for beneficial ownership;
- Advising and representing a joint beneficial owner of property at a mediation to deal with a threatened claim under TOLATA.

Gifts

- Advising and representing defendants to a high-value claim in respect of land allegedly transferred by way of a deed of gift in the early 80s and, alternatively, held subject to a trust.

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